



# Department of Justice

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FOR IMMEDIATE RELEASE  
WEDNESDAY, APRIL 5, 1995

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## DEPARTMENT OF JUSTICE, FEDERAL TRADE COMMISSION RELEASE

### NEW INTERNATIONAL ANTITRUST GUIDELINES

WASHINGTON, D.C. -- The Department of Justice and the Federal Trade Commission (FTC) today jointly issued new Antitrust Enforcement Guidelines for International Operations.

In recognition of the United States' role as the world's top exporter and importer, the Guidelines will provide the framework to help stop international anticompetitive practices that hurt U.S. businesses and customers. The Guidelines will also help answer questions that U.S. and foreign businesses may have relating to the Agencies' international antitrust enforcement policy.

The Guidelines were unveiled in Washington today in a speech by Deputy Assistant Attorney General Diane P. Wood before the American Bar Association Section of Antitrust Law.

The new international Guidelines are the final version of a draft proposal released by the Department of Justice and FTC for public comment on October 13, 1994. Following a 60-day public comment period, a task force of Department and FTC attorneys and economists reviewed the comments and made changes where appropriate.

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Anne K. Bingaman, Assistant Attorney General in charge of the Department's Antitrust Division, said "These Guidelines are tremendously important in the economic environment of the 1990's. They send a simple message: we will vigorously enforce our antitrust laws in matters that fall within our jurisdiction, whether purely domestic or international in nature.

"The Guidelines also reaffirm our commitment to cooperation with foreign antitrust agencies -- cooperation that is mutually beneficial to our antitrust goals," Bingaman added.

"It is particularly crucial that United States antitrust agencies speak with one voice about international antitrust policies," Bingaman concluded. "That's why we are particularly pleased that the FTC has joined in these 1995 guidelines." The previous international guidelines -- issued in 1977 and 1988, respectively -- were issued by the Department alone.

Deputy Assistant Attorney General Wood, who chaired the group that drafted the guidelines, explained: "Three fundamental principles underlie the 1995 International Guidelines. First, the Department and the FTC are committed to enforcing U.S. antitrust laws to the fullest extent of the jurisdiction that Congress has conferred. These new guidelines provide detailed statements of the way in which we interpret our statutory jurisdiction."

"Second, we are committed to the principle of nondiscrimination in antitrust enforcement -- we do not discriminate on the grounds of the nationality of the parties or on the location of relevant events. Nor do we employ our statutory authority to further non-antitrust goals."

"Third, we are committed to the principles of international comity, both in our own enforcement actions and in our willingness to cooperate with our foreign counterparts. Our successful law enforcement cooperation with Canadian and European Union antitrust authorities during the past year is a harbinger of the benefits we can expect from fighting international cartels and other anticompetitive transnational behavior through more systematic cooperation

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between national antitrust agencies."

Copies of Deputy Assistant Attorney General Wood's speech and the 1995 International Guidelines are available to members of the media in the Justice Department's Public Affairs Office. Others can obtain copies from the Legal Procedure Unit of the Antitrust Division, Room 3235, Department of Justice, Washington, DC 20530 (telephone: 202-514-2481). The guidelines are also available at the FTC's press office.

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